

UNITED STATES DISTRICT COURT

for

EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION

U.S.A. vs. Stacy Jean Smith

Docket No. 7:10-MJ-1191-1

Petition for Action on Probation

COMES NOW C. Lee Meeks, Jr., probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Stacy Jean Smith, who, upon an earlier plea of guilty to Driving While Impaired, in violation of 18 U.S.C. § 13, N.C.G.S. 20-138.1, was sentenced by the Honorable Robert B. Jones, Jr., U.S. Magistrate Judge, on April 14, 2011, to a 12-month term of probation under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall obtain a substance abuse assessment from an appropriate mental health facility within thirty (30) days from the date of this judgment and complete any prescribed treatment program. The defendant must pay the assessment fee and any added treatment fees that may be charged by the facility.*
2. It is further ordered that the defendant shall participate in any other Alcohol/Drug rehabilitation and Education program as directed by the U.S. Probation Office.*
3. The defendant shall abstain from the use of any alcoholic beverages, shall not associate with individuals consuming alcoholic beverages, shall not frequent business establishments whose primary product to the consumer is alcoholic beverages, and shall not use any medication containing alcohol without the permission of the probation office or a prescription from a licensed physician.
4. The defendant is to serve 7 days active custody in the Bureau of Prisons to commence today.
5. The defendant shall pay a \$25 special assessment.

*The court ordered these conditions may be waived if previous treatment is acceptable to U.S. Probation.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE
AS FOLLOWS:**

Since being placed on probation, the defendant has been unable to secure employment or appropriate housing. Smith was residing at a domestic violence shelter in the Middle District of North Carolina. On August 9, 2011, she pled guilty to Driving While Impaired and Driving While License Revoked in Onslow County, North Carolina, and was sentenced to a 2-year term of supervised probation and 30 days in custody. It is noted the offense occurred prior to Smith's federal supervision.

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Upon release from state custody, it appears Smith will continue to struggle with locating appropriate housing. Therefore, it is recommended the conditions of supervision be modified to include a 120-day placement at a residential reentry center. This placement should afford the defendant an opportunity to secure employment and suitable housing.

The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that probation be modified as follows:

1. The defendant shall undergo placement in a residential reentry center for a period of 120 days as arranged by the probation office and shall abide by the conditions of that program during said placement.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Kevin L. Connolley
Kevin L. Connolley
Supervising U.S. Probation Officer

/s/ C. Lee Meeks, Jr.
C. Lee Meeks, Jr.
U.S. Probation Officer
472-C Western Blvd.
Jacksonville, NC 28546-6862
Phone: (910) 347-9038
Executed On: August 23, 2011

ORDER OF COURT

Considered and ordered this 23 day of August, 2011, and ordered filed and made a part of the records in the above case.

Robert B. Jones, Jr.
Robert B. Jones, Jr.
U.S. Magistrate Judge